

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

## JOSEPH RED THUNDER,

Plaintiff,

V.

MR. MUNDAY, et al.,

## Defendants.

Case No. C05-283RSL

## ORDER OF DISMISSAL

On October 2, 2006, the Honorable Mary Alice Theiler, United States Magistrate Judge, issued her Report and Recommendation in the above-captioned matter. That Report and Recommendation was mailed to plaintiff but was returned unopened on October 13, 2006, as plaintiff apparently no longer resides at the address on file with the Court.

Local Rule 10(f) requires parties to notify the court of any change of address or telephone number within ten days of the change. Local Rule 41(b)(2) further provides that “[i]f mail directed to a pro se plaintiff by the clerk is returned by the post office, and if such plaintiff fails to notify the court and opposing parties within sixty days thereafter of his current address, the court may dismiss the action without prejudice for failure to prosecute.”

ACCORDINGLY, because the Court finds that plaintiff has failed to prosecute this case by failing to notify the Court of his new address, it is hereby ORDERED that this action is DISMISSED without prejudice.

1 DATED this 4<sup>th</sup> day of January, 2007.  
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*Robert S. Lasnik*

Robert S. Lasnik  
United States District Judge